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| 10/037,912 | 01/04/2002 | Jeffrey C. Lofton | .B-7056 | 6836 |

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HARDING, EARLEY, FOLLMER & FRAILEY
86 THE COMMONS AT VALLEY FORGE EAST
1288 VALLEY FORGE ROAD
VALLEY FORGE, PA 19482

| EXAMINER | |
|---|---|
| VAN DOREN, BETH | |
| ART UNIT | PAPER NUMBER |
| 3623 | |

DATE MAILED: 11/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/037,912 | LOFTON, JEFFREY C. | |
| | Examiner | Art Unit | |
| | Beth Van Doren | 3623 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *28 August 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

1. The following is a non-final office action in response to communications received 08/28/2006. Claims 1 and 23-27 have been amended. Claims 1-27 are now pending.

### *Response to Amendment*

2. Applicants renumbering of claims 21-27 is sufficient to overcome the claim objections set forth in the previous office action.

### *Claim Objections*

3. Claim 19 is objected to because of the following informalities: typographical error. Claim 19 recites "farther comprising", which should more appropriately be --further comprising--. Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 23-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 23 recites "wherein the step of storing on the data storage means a user data file wherein the user data file contains information pertaining to the user, includes information pertaining to a potential user if the user has not already become a user". It is unclear as to what is specifically occurring in this limitation, as it is not clear what is the difference between a user and a potential user is, since the potential user is being stored in the user data file and appears is able in steps a)-q) to have the same privileges as a user. Since it appears that the potential user is

actually using the system (with no functional distinction in the claim ), it is unclear how the user is a "potential user". Since it is assumed that the user and the potential user are not the same person, examiner has construed this limitation as --wherein the step of storing on the data storage means a user data file wherein the user data file contains information pertaining to the user or includes information pertaining to a potential user if the user has not already become a user--. Clarification is required.

Claims 24-26 depend from claim 23 and are therefore also rejected for the reasons set forth above.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 4-23, and 26-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Moseley et al. (*Mastering Office 97: Professional Edition*).

As per claim 1, Moseley et al. teaches a system for scheduling events simultaneously onto a plurality of calendars, comprising:

data storage means for storing data (See page 8, which discloses the database requirements of Microsoft Office, which includes Microsoft Outlook);

input means for inputting data into the data storage means (See pages 17-22, which disclose input means and the user interface. See also page 787, which shows an example of a calendar input screen);

viewing means for viewing data (See pages 22, 784, 790-1, which discloses screen shots of the displays viewable by the user computer);

user data identifying each user or potential user of the system (See page 796-7, wherein users of the system are identified by name);

event data identifying an event (See pages 787-8, 790-2, which discloses event data);

association means for associating a user with event data (See page 787, 792, 796-8, wherein a user is associated with an event, and the event is entered onto the user's calendar);

user data file containing event data, wherein each user is provided with an electronically generated calendar (See pages 787, 790-2, 798, wherein a user has an electronic calendar associated with him/her), and wherein a potential user is notified of a first populated event on said user's calendar prior to the potential user accessing the user's calendar (As for the potential user, the potential user is not required in systems where only the user are identified (as per the limitation "identifying each user or potential user" above, which is in the alternative).

As per claim 4, Moseley et al. teaches user group identification means associating one or more users with a group, wherein a user is selected for association as a member of the group by the user creating the group (See pages 770-1, wherein category groups are created by the user to keep track of contacts).

As per claim 5, Moseley et al. teaches wherein the user selected is the user creating the group (See pages 770-1, wherein the user can be in a group).

As per claim 6, Moseley et al. teaches link data for storing retrievable data, and linking means for linking link data with event data (See pages 797 and 815, wherein the names shown are linked to stored data concerning a users email address and calendar, and wherein this user can be linked to an event. See pages 796-8).

As per claim 7, Moseley et al. teaches wherein user data for each user comprises information for identifying a user (See page 796-7, wherein users of the system are identified by name).

As per claim 8, Moseley et al. teaches wherein the information for identifying a user comprises public/known user information (See page 796-7, wherein users of the system are identified by name, which is accessible and known by the system).

As per claim 9, Moseley et al. teaches wherein the information for identifying a user comprises a user's email address (See page 770, 796-7, 811-2, 814-5, wherein email addresses identify users).

As per claim 10, Moseley et al. teaches wherein the user data identifying each user or potential user of the system comprises a user identifying string (See page 770, 796-7, 811-2, 814-5, wherein email addresses serve as user identifier strings).

As per claim 11, Moseley et al. teaches wherein the user identifying string can be associated with one or more alias strings of the user to associate the user with event data posted for that user under each of the user identifying strings and alias strings, regardless of which user identifying string the user inputs to sign onto the system (See page 770, 796-7, 811-2, 814-5, wherein the user identifying string (email address) is associated with one alias (the linked name), therefore the user is associated with the event using the email and the alias of the user).

As per claim 12, Moseley et al. teaches control means for controlling the availability of information on a user's calendar for viewing by other users (See page 788 and 794, which discloses making task and event data private).

As per claim 13, Moseley et al. teaches wherein the control means comprises means for selectively permitting a first user to compare a time interval with a scheduled event on a second user's calendar for ascertaining whether the second user has available time or whether an event is scheduled for that time interval (See pages 796-8, which discloses seeing the availability of a second user in a time interval).

As per claim 14, Moseley et al. teaches wherein the control means comprises means for selectively permitting a first user to view a second user's calendar (See pages 788 and 794, wherein a user chooses to allow another user to view information on the user's calendar).

As per claim 15, Moseley et al. discloses wherein the control means comprises means for selectively permitting a first user to allow a second user to view one or more events of the first user's calendar (See pages 788 and 794, wherein a user chooses to allow another user to view information on the user's calendar).

As per claim 16, Moseley et al. teaches wherein the control means comprises means for selectively permitting a first user to prevent other users from viewing one or more events of that first user's calendar (See pages 788 and 794, wherein a user makes an event/meeting/task private and not viewable).

As per claim 17, Moseley et al. teaches wherein the control means comprises means for selectively permitting a first user to prevent other users from viewing one or more events of that

first user's calendar (See pages 788 and 794, wherein a user makes an event/meeting/task private and not viewable).

As per claim 18, Moseley et al. teaches reminder means for generating a reminder of an event which is sent to the user in advance of the event (See pages 787, 794, wherein a reminder is sent to the user to remind the user of the event).

As per claim 19, Moseley et al. teaches means for controlling the reoccurrence of an event at a predetermined interval (See page 788-9 and 794, wherein events are set to reoccur at predetermined intervals (daily, weekly, monthly, yearly)).

As per claim 20, Moseley et al. teaches wherein the recurring event is counted to provide on the user's calendar the recurring event at the predetermined interval with the counted number associated with the event (See pages 788-9 and 794, where the recurrence range of ending after X number of occurrences is used to count the event's times of occurrences, this number stored and associated with the event).

As per claim 21, Moseley et al. teaches wherein the recurring event is an annually recurring event, and wherein the event data is controlled to list the event annually on the user's calendar (See pages 788-9 and 794, which discloses yearly intervals for recurring events).

As per claim 22, Moseley et al. teaches user testing means for enabling a user to determine whether email addresses of intended recipients of a message are users of the system based on one or more associated email addresses associated with the user (See page 815, which shows means for looking up users that are associated in the system. See page 797, wherein the users have calendars in the system that can be reviewed).

As per claim 23, Moseley et al. teaches a method for providing notification of one or more scheduled events and scheduling events comprising the steps of:

a) providing data storage means for storing data (See page 8, which discloses the database requirements of Microsoft Office, which includes Microsoft Outlook);

b) providing input means for inputting data into data storage means (See pages 17-22, which disclose input means and the user interface. See also page 787, which shows an example of a calendar input screen);

c) providing viewing means for viewing data stored in the data storage means (See pages 22, 784, 790-1, which discloses screen shots of the displays viewable by the user computer);

d) inputting with input means information about an event into data storage means (See pages 787-8, 790-2, which discloses event data);

e) inputting with input means into the data storage means user data (See pages 17-22, which disclose input means and the user interface. See also page 787, which shows an example of a calendar input screen);

f) providing processor means for processing data (See pages 17-22 and 24-26);

g) associating event data with user data (See page 787, 792, 796-8, wherein a user is associated with an event, and the event is entered onto the user's calendar);

h) comparing user data associated with event data with user information data to identify a user (See pages 812-3, wherein the user uses a password to access information in the system);

i) associating an event with an identified user to create a user data file (See page 787, 792, 796-8, wherein a user is associated with an event, and the event is entered onto the user's calendar);

j) storing on the data storage means a user data file wherein the user data file contains information pertaining to a user (See pages 770, 772, 784, 812, wherein various information pertaining to the user is stored by the system);

k) inputting personal user data information into the user data file (See page 786, 788, 792, which shows personal data, such as personal appointments and birthdays);

1) providing a user identification string containing user identification data (See page 770, 796-7, 811-2, 814-5);

m) establishing a user identification data subset containing a user password data (See page 812 where each user has a password to gain access to information); inputting with input means a user data information and user password data (See pages 17-22, which disclose input means and the user interface);

n) accessing stored user data (See pages 812-3, wherein you use passwords to access the system. See page 787, 792, 796-8, wherein the calendar data can be accessed and viewed);

o) comparing the input user data information and password data with user information data and corresponding user password data stored on the system to identify a user selected to receive event data (See pages 812-3);

p) storing in the user data file of a user selected to receive event data (See pages 797-8, wherein a user receives event data);

q) displaying on viewing means a calendar graphic which includes the event data of the user data file, wherein the step of storing on the data storage means a user data file wherein the user data file contains information pertaining to a user or information pertaining to a potential

user (See pages 787, 790-2, 798, wherein a user has an electronic calendar associated with him/her. Since the member is a user, no consideration of him being a potential user is needed).

As per claim 26, Moseley et al. teaches wherein the step of creating user identification data comprises inputting with input means one or more user identification strings which correspond with a single user to represent a single user into the data storage means and associating one or more user identification strings which represent a single user with event data (See page 770, 796-7, 811-2, 814-5, wherein user identification data (linked to the name shown) is input into the system interface and is associated with an event).

As per claim 27, Moseley et al. teaches a method for notifying a person of one or more scheduled events on a calendar, comprising the steps of associating with a person a calendar and notifying the person when there is an event posted to the person's calendar, and providing means for permitting the person to initialize, access and view the person's calendar, wherein a calendar event may be posted to the person's calendar prior to the time that the person whose calendar the event was posted has initialized the calendar (See pages 787, 794, 796-8, wherein a person has a calendar and the person is notified when an event is sent to the user's calendar system. The user has the ability to access his/her calendar. The user can choose to accept or decline the event. The request, when sent, will sit in the person's inbox until the user views the request).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 2-3 rejected under 35 U.S.C. 103(a) as being unpatentable over Moseley et al. (*Mastering Office 97: Professional Edition*).

As per claim 2, Moseley et al. teaches means for permitting a user to add and edit events from the user's personal calendar without affecting the events viewable by other users (See pages 786-790, where the user can add and edit items in the calendar). However, while Moseley et al. discloses editing events, Moseley et al. does not expressly deleting events.

Moseley et al. discloses a scheduling and calendaring system where a user can add and edit events in his/her calendar. Examiner takes official notice that Outlook has the functionality to delete meetings and events from one's calendar. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to permit a user to delete an event in order to allow a user to manage his/her time more efficiently. Se page 783.

As per claim 3, Moseley et al. teaches wherein event data comprises *one or the other or both of* data for a specific event which is stored in the user data file and pointers stored in the user data file pointing to data for a specific event which is stored in a global event file (See pages 787-8, 790-2, 798 which discloses specific event data, such as a time and title).

10. Claims 24-25 rejected under 35 U.S.C. 103(a) as being unpatentable over Moseley et al. (*Mastering Office 97: Professional Edition*) in view of Berenson (U.S. 2001/0049617).

As per claim 24, Moseley et al. discloses storing event data in the data storage means (See pages 8, 770, 772, 784, 812). However, Moseley et al. does not expressly discloses the steps of storing event data in at least two files, the at least two files including a global event data

file and a user data file, wherein the step of storing event data comprises associating event data stored in a global event data file with event data stored in a user data file.

Berenson teaches storing the event data in at least two files, the at least two files including a global event data file and a user data file, wherein the step of storing event data comprises associating event data stored in a global event data file with event data stored in a user data file (See figure 3, elements 301, 304, and 308, which discloses separating the data into at least two files, where the event data is global).

Both Berenson and Moseley et al. discloses event scheduling systems. Moseley et al. specifically discloses storing data in the system related to the calendar and the user. It would have been obvious to one of ordinary skill in the art at the time of the invention to use the scheme of Berenson in order to increase the ease of use and retrieval of the data.

Claim 25 is substantially similar to claim 2 and is therefore rejected using the same art and rationale set forth above.

***Response to Arguments***

11. Applicant's arguments with respect to the rejections of the 02/24/2006 office action have been considered but are moot in view of the new grounds of rejection.

12. Applicant's remarks concerning the Microsoft reference (Moseley et al.) have been fully considered, but they are not persuasive. In the remarks, applicant argues that Moseley et al. does not teach or suggest events which can be made private or for viewing by one or more particular users.

In response to this argument, Examiner respectfully disagrees. Examiner is not specifically clear from this argument as to which claims the Applicant is specifically referring.

Moseley et al. does teach and suggest making events selectively private so that other users may not view information concerning the event. See page 788 and 794.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth Van Doren whose telephone number is (571) 272-6737. The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

bvd
November 3, 2006

Beth Van Doren
Patent Examiner, AU 3623